

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 6744 of 2005

DATED: 26.12.2007

Between:

Bollavaram Yellaiah and another

petitioner

And

APTRANSCO

Rep by its Chairman cum Managing Director,
Vidyut Soudha, Somajiguda,
Hyderabad and ors

Respondents

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THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 6744 of 2005

ORAL ORDER:

This writ petition is filed questioning the action of the respondents in acquiring the land of the petitioners admeasuring Ac.1.50 cents in Survey No. 105/B1, 105/B2A and 105/B2B , Munagamanu Chenu of Tangadancha village, Jupadu Bunglow mandal, Kurnool district for the purpose of installation of 33/11 KV electrical sub station, without initiating the Land Acquisition proceedings and without following the due process of law, as illegal and arbitrary.

The petitioner claims to be absolute owner of the agricultural land in Survey Nos. 105/B1 admeasuring Ac.3.90 cents, survey No. 105/B2B admeasuring Ac.3.27 and survey No. 105/B2A admeasuring Ac.3.00 centa of Tangadancha village, Jupadi mandal, Kurnool district and alleges that out of the said land the respondent company without initiating Land Acquisition proceedings and without paying any compensation, has acquired land to an extent of Ac.1.50 cents for construction of sub station vide letter dated 21.3.1987. Hence, the present writ petition.

A counter affidavit is filed stating that though the land acquisition proceedings were not initiated, the subject land was acquired after negotiations and with the consent of the petitioner and that the petitioner has agreed to receive the compensation that may be fixed by the revenue authorities. It is further stated that the petitioner has to execute a regular sale deed in favour of the respondent institution and unless such sale deed is executed, the compensation cannot be paid.

However, when the matter is taken up on 11.12.2007, learned counsel appearing for the respondents sought two weeks time to settle the matter by negotiations with the petitioners and thereafter a memo dated 26.12.2007 was filed on behalf of respondents 2 and 3 proposing to pay an amount of Rs.2,00,000/- towards cost of land,

interest from 21.3.87 to 21.12.2007, cost of litigation expenses and damages.

Today when the matter is taken up, learned counsel for petitioners accepted the proposal put forth by the respondents 2 and 3 vide memo dated 26.12.2007 and prayed that the respondents may be directed to pay the agreed amount of Rs.2,00,000/- expeditiously.

Heard the learned counsel for petitioners and learned standing counsel for respondents.

Having regard to the agreed stand taken by both the counsel, I deem it appropriate to dispose of the writ petition directing the respondents to pay the agreed amount of Rs.2,00,000/- in terms of memo dated 26.12.2006 to the petitioners, within a period of two weeks from the date of receipt of copy of this order. On receipt of the amount of Rs.2,00,000/- the petitioners shall execute the sale deed in favour of respondent-institution as required under the law, in respect of land admeasuring Ac.1.50 cents in Survey No. 105/B1, 105/B2A and 105/B2B , Munagamanu Chenu of Tangadancha village, Jupadu Bunglow mandal, Kurnool district, acquired for the purpose of construction of substation.

Accordingly, the writ petition is disposed of. No costs.

N.V.RAMANA,J

DATED: 26.12.2007

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